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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,966	12/15/2003	Patrick Rocco Guido	5577-288	3402
7590	05/07/2007			
Myers Bigel Sibley & Sajovec PO Box 37428 Raleigh, NC 27627			EXAMINER	
			NGUYEN, CAO H	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/735,966	GUIDO ET AL.	
	Examiner	Art Unit	
	Cao (Kevin) Nguyen	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 December 2003. *2,1*
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-24 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Dong et al. (US Patent No. 6,380,937).

Regarding claim 1, Dong discloses a method for displaying a set of hierarchical data on an electronic display, the method comprising displaying the set of hierarchical data on the electronic display in a tree diagram having a first portion and a second portion (..a graph illustrating how relationships between items are displayed horizontally and vertically on a hierarchical tree; see col. 2, lines 28-43); wherein the first portion of the tree diagram has a plurality of vertically oriented levels (..Vertical scale 34 depicts groupings of items with respect to the graphical position of a threshold indicator. Vertical scale may be divided into multiple sections, where each spacing unit is a distance; see col. 3, lines 53-60); and wherein the second portion of the tree diagram has a plurality of horizontally oriented levels (see col. 4, lines 8-22).

Regarding claim 2, Dong discloses wherein at least one element in the set of hierarchical data includes a set of embedded hierarchical data (see col. 2, lines 9-23).

Regarding claim 3, Dong discloses wherein the set of hierarchical data is displayed in the first portion of the tree diagram, and wherein the set of embedded hierarchical data is displayed in the second portion of the tree diagram (see col. 5, lines 1-24).

Regarding claim 4, Dong discloses wherein at least one element in the set of embedded hierarchical data includes a second set of embedded hierarchical data, and wherein the second set of embedded hierarchical data is displayed in a third portion of the tree diagram (see col. 5, lines 25-56).

Regarding claim 5, Dong discloses wherein the second portion of the tree diagram is disposed between two adjacent levels of the plurality of vertically oriented levels (see col. 6, lines 35-54).

Regarding claim 6, Dong discloses wherein at least one of the plurality of horizontally oriented levels has a first node that is aligned with one of the plurality of vertically oriented levels and a second node that is aligned with a different one of the plurality of vertically oriented levels (see col. 6, lines 55-67).

Regarding claim 7, Dong discloses wherein the plurality of vertically oriented levels in the first portion of the tree diagram and the plurality of horizontally oriented levels in the second portion of the tree diagram have one or more nodes at each level, and further comprising displaying on the electronic display an expansion handle icon having a first

configuration adjacent at least one of the nodes in the first portion of the tree diagram and displaying on the electronic display an expansion handle icon having a second configuration adjacent at least one of the other nodes in the first portion of the tree diagram (see figures 2-5).

Regarding claim 8, Dong discloses further comprising displaying on the electronic display a plurality of level indicators of a first type that denote respective of the plurality of vertically oriented levels and a plurality of level indicators of a second type that is different from the first type that denote respective of the plurality of horizontally oriented levels (see col. 7, lines 21-44).

Regarding claim 9, Dong discloses the plurality of vertically oriented levels and the plurality of horizontally oriented levels have one or more nodes at each level, and wherein the method further comprises expanding a first of the one or more nodes in a first of the plurality of vertically oriented levels to display at least one of the one or more nodes in a first of the plurality of horizontally oriented levels; and laterally shifting the displayed plurality of vertically oriented levels that are higher levels than the first of the plurality of vertically oriented levels (see col. 7, lines 44-63).

Regarding claim 10, Dong discloses wherein the plurality of vertically oriented levels and the plurality of horizontally oriented levels have one or more nodes at each level, and wherein each of the plurality of horizontally oriented levels branch out directly or indirectly from respective ones of the one or more nodes in the vertically oriented levels (see col. 4, lines 28-58).

Regarding claim 11, Dong discloses wherein the tree diagram includes a third portion that has a plurality of second vertically oriented levels, and wherein each of the plurality of second vertically oriented levels branch out directly or indirectly from respective ones of a group of nodes that comprise part of the second portion of the tree diagram (see figures 3-4).

Regarding claim 12, Dong discloses a method for displaying a set of hierarchical data in which elements of the set of hierarchical data include embedded hierarchical data on an electronic display, the method comprising displaying at least part of the set of hierarchical data on the electronic display in a first plurality of levels that have a first orientation upon which the one or more nodes that comprise the level are substantially aligned (see col. 6, lines 54-67 and figures 3-5); and displaying the embedded hierarchical data embedded in at least one of the elements of the set of hierarchical data on the electronic display in a second plurality of levels that have a second orientation upon which the one or more nodes that comprise the level are substantially aligned; wherein the second orientation is different than the first orientation (see col. 7, lines 6-30).

Regarding claim 13, Dong discloses wherein the first orientation is a vertical orientation and the second orientation is a horizontal orientation (see col. 4, lines 28-58).

Regarding claim 14, Dong discloses further comprising displaying a second set of hierarchical data that is embedded in an element of the embedded hierarchical data in one or more of the first plurality of levels (see col. 4, lines 8-25).

Regarding claim 15, Dong discloses a graphical user interface for displaying a set of hierarchical data in which elements of the set of hierarchical data include embedded hierarchical data, comprising a tree diagram having a plurality of vertically oriented levels that include one or more nodes (see figures 3-5); a plurality of horizontally oriented levels that include one or more nodes, wherein each of the plurality of horizontally oriented levels branch out directly or indirectly from respective of the one or more nodes in the plurality of vertically oriented levels (see col. 5, lines 5-56).

Regarding claim 16, Dong discloses further comprising a plurality of expansion handles of a first type that are associated with respective of the nodes in the plurality of vertically oriented levels; a plurality of expansion handles of a second type that is different than the first type that are associated with respective of the nodes in the plurality of vertically oriented levels that contain one of the elements of the set of hierarchical data that includes embedded hierarchical data (see col. 6, lines 6-54).

Regarding claim 17, Dong discloses further comprising a plurality of level indicators of a first type that denote respective of the plurality of vertically oriented levels; and a plurality of level indicators of a second type that is different from the first type that denote respective of the plurality of horizontally oriented levels (see figures 2-5).

Regarding claim 18, Dong discloses wherein the plurality of level indicators of a first type comprise a line of a first color and the plurality of level indicators of a second type comprise a line of a different color (see col. 5, lines 40-56).

Regarding claim 19, Dong discloses wherein each of the plurality of horizontally oriented levels is disposed between pairs of adjacent nodes in the plurality of vertically oriented levels (see col. 5, lines 57-67).

Regarding claim 20, Dong discloses, wherein at least one of the plurality of horizontally oriented levels has a first node that is aligned with one of the plurality of vertically oriented levels and a second node that is aligned with a different one of the plurality of vertically oriented levels (see figures 3-5).

Regarding claim 21, Dong discloses further comprising a plurality of second vertically oriented levels that branch out directly or indirectly from one or more of the nodes in the plurality of horizontally oriented levels (see col. 6, lines 22-53).

Regarding claim 22, Dong discloses, further comprising a plurality of expansion handles of a first type that are associated with respective of the nodes in the plurality of vertically oriented levels (see figures 2-3); a plurality of expansion handles of a second type that is different than the first type that are associated with nodes in the tree diagram from which the nodes in the plurality of horizontally oriented levels branch out from (see col. 7, lines 6-30).

Regarding claim 23, Dong discloses further comprising an expansion handle that is associated with a first node in a first of the vertically oriented levels which may be used to expand the first node to display descendant nodes in both one of the plurality of vertically oriented levels and in one of the plurality of horizontally oriented levels (see figures 2-5).

Regarding claim 24, Dong discloses a computer program product for displaying a set of hierarchical data in which elements of the set of hierarchical data include embedded hierarchical data on an electronic display, the method comprising a computer readable medium having computer readable program code embodied therein, the computer readable program code comprising computer readable program code configured to display at least part of the set of hierarchical data on the electronic display in a first plurality of levels having a first orientation (see col. 5, lines 6-56); and computer readable program code configured to display embedded hierarchical data embedded in at least one of the elements of the set of hierarchical data on the electronic display in a second plurality of levels having a second orientation that is different than the first orientation (see col. 6, lines 6-67).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

05/03/07